IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1686 OF 2006

The State of Maharashtra ... Petitioners
Vs.
Vinay Mohan Lal & Ors. ... Respondents

WITH

WRIT PETITION (L) NO. 1650 OF 2006

State of Maharasthra ... Petitioner
Vs.
Vinay Mohan Lal & Ors. ... Respondents

Mr. Ravi Kadam, Advocate General with Mr. Birendra Saraf, A.G.P. for Petitioner.

Respondent No. 1 in person present.

Mr. V.S. Masurakr with Mrs. N.V. Masurkar and Mr. Kiran Khanpile for R. No. 2.

CORAM: F.I. REBELLO &
MRS.V.K.TAHILRAMANI,JJ.
DATE : 24TH JULY, 2006

P.C.:

. Rule in both the Petitions.

2. The Respondent No. 1 agrees to subject himself to the departmental enquiry initiated under the chargesheet dated 11.7.2005 from the Stage at which D.E. has already reached. The Enquiry Officer to conduct the enquiry according to law.

3. In the light of Clause (2) above, the Petitioners state that they will give Respondent No.1 some other appropriate posting which is equivalent to his grade by 1st August, 2006. The

Petitioner's contention on posting as M.D., MAFCO and that the post is not equivalent to his grade is kept open.

4. The Government may consider the release of salary as claimed by the Petitioner on a representation being made by the Petitioner. The representation to be made within 15 days from today. The Government to consider the same if it thinks fit and dispose it of according to law.

5. In view of the above, judgment and order dated 22.2.2006 passed by the Central Administrative Tribunal in Original Application No. 293 of 2004 is stayed, pending the hearing and final disposal of the petition.

6. Respondent in Writ Petition No. 1686 of 2006 waives service. Liberty to the Petitioner to apply for a fixed date of hearing.

7. In view of the interim order, nothing further survives in Writ Petition (L) No. 1650 of 2006 which is accordingly disposed of.

(MRS.V.K.TAHILRAMANI,J.) **(F.I.REBELLO, J.)**